

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AARON ABADI,

Plaintiff

V.

AMERICAN AIRLINES GROUP, INC., et al

CASE # 1:23-cv-04033-UA

PLAINTIFF’S MOTION FOR LEAVE TO FILE

A SUPPLEMENT TO THE COMPLAINT

COMES NOW Plaintiff, *pro se*, with this motion, pursuant to Fed. R. Civ. P. 15 (d), Plaintiff would like to ask this court for leave to file a supplement to the Complaint, to become a part of the Complaint. The Rule reads as follows:

“(d) Supplemental Pleadings. On motion and reasonable notice, the court may, on just terms, permit a party to serve a supplemental pleading setting out any transaction, occurrence, or event that happened after the date of the pleading to be supplemented. The court may permit supplementation even though the original pleading is defective in stating a claim or defense. The court may order that the opposing party plead to the supplemental pleading within a specified time.” Fed. R. Civ. P. 15

Courts will often allow for a supplementary complaint to include various items missing in the initial complaint.

“A supplemental complaint in the District Court would have eliminated this jurisdictional issue; since the record discloses, both by affidavit and stipulation, that the jurisdictional condition was satisfied, it is not too late, even now, to

supplement the complaint to allege this fact.” Mathews v. Diaz, 426 U.S. 67, 75, 96 S. Ct. 1883, 1889, 48 L. Ed. 2d 478 (1976)

Plaintiff has filed a Complaint against 46 airlines, several employees, 2 attorneys, 2 medical advisory groups, federal agencies, federal employees, and even the President himself for their mishandling of the Covid-19 era policies, specifically with relation to mask mandates, and for their discriminating against him and not allowing him to travel. Plaintiff has a medical disability, specifically sensory processing disorder, where he cannot wear a mask. Defendants refused to allow him to travel on airplanes without wearing a mask in spite of his disability, and/or made discriminatory requirements of him in order to do so. The injuries were colossal, and the damages were astronomical.

The complaint was initially file in the Northern District of Texas, as that was where American Airlines and others are based, and there was a significant part of the violations happening there. The District Judge in that Court determined that the appropriate jurisdiction of this case would be here in New York in this District. Thankfully, this would be much more convenient for Plaintiff. It was difficult for Plaintiff to determine the appropriate venue.

Much of the complaint was written to address jurisdiction in Texas, and with addresses to Defendants in Texas. Plaintiff would like to amend the complaint to address the jurisdiction in New York.

Additionally, Plaintiff would like to add several federal defendants that were instrumental in making these discriminations happen, but Plaintiff first attempted to address that directly through the administrative process. That process is over as of July 1, 2023, and now Plaintiff would like to add these Defendants.

Rather than rewrite the entire complaint with all its pages and exhibits, and rather than require the Court to read another full Complaint with exhibits, Plaintiff is asking this Court for leave to just file a Supplemental Pleading to be added to the Complaint. This will minimize the reading required by the Court of an entirely new amended complaint, yet it will serve the same purpose. Plaintiff will include all information necessary for this Court to proceed on this complaint, and will include the new Defendants and the allegations against them.

At this time in the litigation, Plaintiff is entitled to amend the complaint without leave, if he so chooses. For the convenience of the Court, Plaintiff is hoping that the Court will allow the supplemental complaint instead.

WHEREFORE, Plaintiff asks this court for leave to file the attached Supplemental Complaint as a supplement to the original Complaint.

Respectfully submitted this 9th day of July, 2023.

s/*Aaron Abadi*

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